



Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

cc: George Purefoy, City Manager
Cissy Sylo, P.E., Director of Engineering Services
Brian Moen, P.E., Assistant Director/Transportation

From: Joel W. Fitts, P.E., Senior Traffic Engineer

Date: November 4, 2008

Subject: Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Development Agreement with Frisco Independent School District for the construction of an eastbound left turn bay and a westbound right turn deceleration lane at the median opening for Briar Ridge Road on FM 2934/Eldorado Parkway in conjunction with the Texas Department of Transportation's (TxDOT's) construction of FM 2934/Eldorado Parkway (FM 423 to Dallas North Tollway) Improvements

Action Requested: Staff requests that Council approve a Resolution authorizing the City Manager to execute a Development Agreement with Frisco Independent School District for the construction of an eastbound left turn bay and a westbound right turn deceleration lane at the median opening for Briar Ridge Road on FM 2934/Eldorado Parkway in conjunction with TxDOT's construction of FM 2934/Eldorado Parkway (FM 423 to Dallas North Tollway) Improvements.

Background Information: The Texas Department of Transportation (TxDOT) has completed the design, bid, and started construction for the widening of FM 2934/Eldorado Parkway from FM 423 to the Dallas North Tollway (DNT). The Project will widen the existing two (2) lane roadway to a six (6) lane urban roadway with a raised median, turn lanes, and curb and gutter. The Project was bid in February 2008; construction began in September 2008; and the Project is anticipated to be completed in Summer 2010.

As part of this widening project, TxDOT will construct left-turn lanes and right-turn deceleration lanes at locations requested by the City, if the requesting City provides funding for the improvements.

Agenda Memorandum

Frisco Independent School District Development Agreement for Briar Ridge Road

City Council Meeting of November 4, 2008

Page 2 of 3

In conjunction with the development of the Newman Village subdivision, the Frisco Independent School District purchased a site for a future elementary school and built a new road (Briar Ridge Road), which connects to FM 2934/Eldorado Parkway, to serve the future school site. Normally, the City would require turn lanes to be built when a new road connects to a major thoroughfare. However, since the widening of FM 2934/Eldorado Parkway was imminent, staff allowed them to escrow funds for the turn lanes rather than construct temporary improvement that would be removed during construction. Therefore, it is necessary to have Frisco Independent School District (FISD) escrow the cost of the turn lanes for the Briar Ridge Road intersection. In this way, the turn lanes can be built at the same time the roadway is widened. TxDOT requires that the City collect the escrow money from the school district and reimburse TxDOT for the construction costs. Therefore, a Development Agreement is necessary to describe the turn lane improvements that will be built, collection of the escrow money, reimbursing the money to TxDOT, making the school district responsible for any cost overruns, and the fact that the City cannot control the time frame of TxDOT's construction.

The total escrow amount specified in the Agreement is \$41,832.36. All costs in the Agreement are based on estimated quantities and TxDOT's estimates of cost. The actual cost of the Agreement will be based on actual field measured quantities and bid cost of each item. TxDOT will summarize the quantities and costs at the completion of construction and refund or request additional funds as necessary.

The Development Agreement for Briar Ridge Road is based on the Standard Agreement that Council approved in December 2006 for facilitating the construction of median openings and left turn lanes along SH 289 (Preston Road) north of Main Street. However, some differences were necessary to the Agreement because the plans for FM 2934 are already complete and building these turn lanes required the plans to be changed through a TxDOT Change Order.

Alternatives: The City Council could consider the following alternatives:

- Approval of a Resolution authorizing the City Manager to execute a Development Agreement with Frisco Independent School District for the construction of an eastbound left turn bay and a westbound right turn deceleration lane at the median opening for Briar Ridge Road on FM 2934/Eldorado Parkway in conjunction with TxDOT's construction of FM 2934 Eldorado Parkway Improvements.
- Input towards the discussion as desired.
- Direct Staff to renegotiate the Agreement with Frisco Independent School District.

Agenda Memorandum

Frisco Independent School District Development Agreement for Briar Ridge Road

City Council Meeting of November 4, 2008

Page 3 of 3

Financial Considerations: The City will be responsible for securing the funds from FISD and reimbursing TxDOT during construction through a Change Order. FISD will be responsible for any costs due to TxDOT that are above the escrow amount specified in the Agreement (\$41,832.36). No City funds will be expended.

Legal Review: Approved as to form.

Supporting Documents:

- Project Location Exhibits
- Resolution
- Development Agreement

Staff Recommendation: Staff recommends adopting a Resolution authorizing the City Manager to execute a Development Agreement with Frisco Independent School District for the construction of an eastbound left turn bay and a westbound right turn deceleration lane at the median opening for Briar Ridge Road on FM 2934/Eldorado Parkway in conjunction with TxDOT's construction of FM 2934/Eldorado Parkway (FM 423 to Dallas North Tollway) Improvements.

Staff will be present at the meeting to address the Council's questions relating to this agenda item.